

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**RALPH SMITH and IGNATIUS  
HARRIS, individually and on behalf of  
all others similarly situated,**

**Plaintiffs**

**v.**

**ALLEGHENY TECHNOLOGIES, INC.,  
and STROM ENGINEERING  
CORPORATION,**

**Defendants.**

**CIVIL ACTION NO. 17-CV-00911  
JUDGE MARK R. HORNAK  
ELECTRONICALLY FILED**

**NOTICE OF APPEAL**

Notice is hereby given that Ralph Smith and Ignatius Harris, individually and on behalf of all others similarly situated, (plaintiffs) in the above named case, hereby appeal to the United States Court of Appeals for the Third Circuit from the February 28, 2017 Order granting Defendant Allegheny Technologies Inc.'s Motion to Dismiss for Failure to State a Claim and dismissing Counts I-IV of Plaintiff's Complaint with prejudice.

Dated: March 30, 2018

Respectfully submitted,

/s Sarah R. Schalman-Bergen  
Shanon J. Carson (PA 85957)  
Sarah R. Schalman-Bergen (PA 206211)  
Michaela Wallin (NY 5269527) (*pro hac vice*)  
BERGER & MONTAGUE, P.C.  
1622 Locust Street  
Philadelphia, PA 19103  
Telephone: (215) 875-3053  
Facsimile: (215) 875-4604  
scarson@bm.net  
sschalman-bergen@bm.net  
mwallin@bm.net

Michael K. Yarnoff (PA # 62222)\*  
KEHOE LAW FIRM

Two Penn Center Plaza  
1500 JFK Boulevard, Suite 1020  
Philadelphia, PA 19102  
Telephone/Fax: (215) 792-6676  
[myarnoff@kehoelawfirm.com](mailto:myarnoff@kehoelawfirm.com)

*\*pro hac vice to be filed*

*Attorneys for Plaintiffs and the Proposed Classes*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed via ECF and is available to the parties' counsel of record for download and viewing.

By: s/ Sarah R. Schalman-Bergen  
Sarah R. Schalman-Bergen